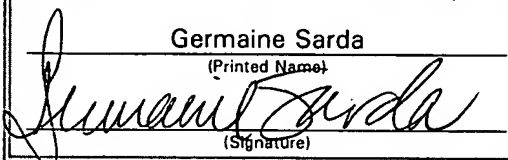


***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: BAUMANN et al.  
Title: OLIGONUCLEOTIDES AND METHODS  
FOR DETECTING HEPATITIS C VIRAL  
NUCLEIC ACIDS  
Appl. No.: Unknown  
Filing Date: 01/15/2004  
Examiner: Unassigned  
Art Unit: 1645

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL990321717US	January 16, 2004
(Express Mail Label Number)	(Date of Deposit)
Germaine Sarda	
(Printed Name)	
	
(Signature)	

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Applicants submit herewith on Form PTO-1449 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 10/011,855, filed 12/04/2001. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), within three (3) months of the filing date of the application.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date January 15, 2004

By Barry Wilson

FOLEY & LARDNER

Customer Number: 30542

Telephone: (858) 847-6722

Facsimile: (858) 792-6773

Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

Form PTO-1449  
(MODIFIED)U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
034827-0702SERIAL NO.  
10/011,855**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

APPLICANT

BAUMANN et al.

FILING DATE

December 4, 2001

GROUP ART UNIT

1645

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	4,868,105	09/1989	Urdea et al.	435	6	12/11/1985
	AB	5,527,669	06/1996	Resnick et al.	435	5	05/10/1994
	AC	5,538,848	07/1996	Livak et al.	435	5	11/16/1994
	AD	5,691,146	11/1997	Mayrand	435	6	09/11/1996
	AE	5,723,591	03/1998	Livak et al.	536	22.1	11/15/1995
	AF	5,736,333	04/1998	Livak et al.	435	6	06/04/1996
	AG	5,837,442	11/1998	Tsang	435	5	10/28/1996

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	AH	0529493 B1	17/12/97	EPO	C12Q	1/70	XX	

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	AI	Beames et al., "Development of a Primary Tamarin Hepatocyte Culture System for GB Virus-B: A Surrogate Model for Hepatitis C Virus," Journal of Virology, 74(24):11764-11772, 2000.
	AJ	Bukh et al., "Sequence Analysis of the 5' Noncoding Region of Hepatitis C Virus," Proc. Natl. Acad. Sci. USA, 89:4942-4946, 1992.
	AK	Chu et al., "Postsynthesis Functionalization of Oligonucleotides," Methods in Molecular Biology, 26:145-165, 1994.
	AL	Henning et al., "A Novel RT-PCR for Reliable and Rapid HCV RNA Screening of Blood Donations," Transfusion, 41:1100-1106, 2001.
	AM	Hileman et al., "Synthesis and Characterization of Conjugates Formed Between Periodate-Oxidized Ribonucleotides and Amine-Containing Fluorophores," Bioconjugate Chem., 5:436-444, 1994.
	AN	Kawai et al., "Quantification of Hepatitis C Virus by TaqMan PCR: Comparison with HCV Amplicor Monitor Assay," Journal of Medical Virology, 58:121-126, 1999.

**EXAMINER****DATE CONSIDERED**

\* **EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include any copy of this form with next communication to applicant.

Form PTO-1449 (MODIFIED)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 034827-0702	SERIAL NO. 10/011,855
<b>INFORMATION DISCLOSURE CITATION</b>  <i>(Use several sheets if necessary)</i>		APPLICANT BAUMANN et al.	
		FILING DATE December 4, 2001	GROUP ART UNIT 1645

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	BA	5,866,336	02/1999	Nazarenko et al.	435	6	01/03/97
	BB	5,876,930	03/1999	Livak et al.	435	6	11/15/95
	BC	5,952,202	09/1999	Aoyagi et al.	435	91.2	03/26/98
	BD	6,028,290	02/2000	Yashuhara et al.	219	130.1	08/05/98
	BE	6,030,787	02/2000	Livak et al.	435	6	12/07/98
	BF	6,060,240	05/2000	Kamb et al.	435	6	12/13/96
	BG	6,150,107	11/2000	Glazer et al.	435	6	10/01/98
	BH	6,258,569	07/2001	Livak et al.	435	91.1	11/08/99

### FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	BI							

### OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

	BJ	Kleiber et al., "Performance Characteristics of a Quantitative, Homogeneous TaqMan RT-PCR Test for HCV RNA," Journal of Molecular Diagnostics, 2(3)158-166, 2000.
	BK	Komurian-Pradel et al., "Quantitation of HCV RNA Using Real-Time PCR and Fluorimetry," Journal of Virological Methods, 95:111-119, 2001.
	BL	Landegren et al., "DNA Diagnostics-Molecular Techniques and Automation," Science, 242:229, 1998.
	BM	Martell et al., "High-Throughput Real-Time Reverse Transcription-PCR Quantitation of Hepatitis C Virus RNA," Journal of Clinical Microbiology, 37(2)327-332, 1999.
	BN	Matthews et al., "Analytical Strategies for the Use of DNA Probes," Analytical Biochemistry, 169-1-25, 1988.
	BO	Meng et al., "Automated Multiplex Assay System for Simultaneous Detection of Hepatitis B Virus DNA, Hepatitis C Virus RNA, and Human Immunodeficiency Virus Type 1 RNA," Journal of Clinical Microbiology, 2937-2945, 2001.

EXAMINER

DATE CONSIDERED

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				FILING DATE December 4, 2001		GROUP ART UNIT 1645	
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	CA	6,297,016	11/02/01	Egholm et al.	435	6	10/08/99
	CB	6,316,230	11/13/01	Egholm et al.	435	91.1	08/13/99
	CC	6,316,610	11/13/01	Lee et al.	536	23.1	03/20/01
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	CD						
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	CE	Mercier et al., "Simultaneous Screening for HBV DNA and HCV RNA Genomes in Blood Donations Using A Novel TaqMan PCR Assay," Journal of Virological Methods, 77:1-9, 1999.					
	CF	Theodore E. Millfin, "Use and Applications of Nucleic Acid Probes in the Clinical Laboratory," Clinical Chemistry, 35(9):1819-1825, 1989.					
	CG	Morris et al., "Rapid Reverse Transcription-PCR Detection of Hepatitis C Virus RNA in Serum by Using the TaqMan Fluorogenic Detection System," Journal of Clinical Microbiology, 34(12):2933-2936, 1996.					
	CH	Petrik et al., "High Throughput PCR Detection of HCV Based on Semiautomated Multisample RNA Capture," Journal of Virological Methods, 64:147-159, 1997.					
	CI	Randall Saiki, "Amplification of Genomic DNA," PCR Protocols: A Guide to Methods and Applications, Academic Press, Ch. 2, pg. 13-20, 1990.					
	CJ	Van Schie et al., "Semiautomated Clone Verification by Real-Time PCR Using Molecular Beacons," BioTechniques, 29:1296-1308, 2000.					
	CK	Wharam et al., "Specific Detection of DNA and RNA Targets Using a Novel Isothermal Nucleic Acid Amplification Assay Based on the Formation of a Three-Way Junction Structure," Nucleic Acids Research, 29(11):1-8, 2001.					
	CL	Hafner et al., "Isothermal Amplification and Multimerization of DNA by Bst DNA Polymerase," BioTechniques, 30:825-867, 2001.					
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			
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EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	DA						
<b>FOREIGN PATENT DOCUMENTS</b>							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION YES NO
	DB						
<b>OTHER DOCUMENTS</b> <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
	DC	Young et al., "Detection of Hepatitis C Virus RNA by a Combined Reverse Transcription-Polymerase Chain Reaction Assay," Journal of Clinical Microbiology, 31(4):882-886, 1993.					
	DE	Young et al., "Detection of Hepatitis C Virus RNA by a Combined Reverse Transcription PCR Assay: Comparison with Nested Amplification and Antibody Testing," Journal of Clinical Microbiology, 33(3):654-657, 1995.					
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